

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

MONICA DANIEL HUTCHISON,

Plaintiff,

vs.

Case No. 09-3018-CV-S-RED

TEXAS COUNTY, MISSOURI,
MICHAEL R. ANDERSON,
TEXAS COUNTY PROSECUTING ATTORNEY,
and MICHAEL R. ANDERSON, individually,

Defendants.

DEPOSITION OF MS. MELISSA DUNN,

produced, sworn, and examined on Wednesday,

May 26, 2010, at 10:51 a.m. of that day, at

the Texas County Justice Center,

519 N. Grand Avenue, in the City of Houston,

County of Texas, and State of Missouri,

before me, LINDSAY M. BENI, RPR, CCR, in the

above-captioned cause; taken on behalf of

the Defendants.

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<p style="text-align: right;">12</p> <p>1 A. Part of it was public information, part of 2 it wasn't. 3 Q. Okay. Fair enough. In your dealings with 4 Mr. Anderson did you ever hear any rumors 5 about the way Mr. Anderson interacted with 6 Ms. Daniel? 7 A. No. 8 Q. Okay. Let's look here at your report that's 9 marked as Exhibit 37. It starts out that it 10 says on 12/22/05 you were summoned to 11 Judge Ellsworth's office to meet with the 12 judge and Prosecuting Attorney Michael 13 Anderson. Do you know who summoned you 14 there? 15 A. No, I don't. Let me make a note here before 16 we get too far into it. 17 Q. Okay. 18 A. On page 3 it's got in the third paragraph 19 and the sixth paragraph it says December of 20 '06. 21 Q. Okay. 22 A. Those should be December of '05. 23 Q. All right. Fair enough. I see that? 24 A. When I changed the page I changed it to '06 25 for some reason.</p>	<p style="text-align: right;">14</p> <p>1 A. Yes. 2 Q. Do you recall did you say anything during 3 this meeting? I don't see anything noted in 4 here about any comments you may have made, 5 but did you make any statements or say 6 anything during the meeting on the 22nd? 7 A. If I would have asked anything, what he 8 states here would have been the response to 9 it. 10 Q. Okay. I guess I take that back. It looks 11 like on the second page there is a paragraph 12 where it starts out you told Mr. Anderson -- 13 you said that -- 14 A. Yes. 15 Q. -- since it happened in Licking you thought 16 the Licking Police Department should be 17 involved? 18 A. Yes. 19 Q. What was your reasoning or thinking behind 20 that? Explain that to me. 21 A. Crime didn't occur within my jurisdiction. 22 Q. So if something occurs within the city of 23 Licking it's not within the Texas County 24 Sheriff's Department's jurisdiction? 25 A. It's primarily in the City of Licking's</p>
<p style="text-align: right;">13</p> <p>1 Q. Okay. 2 MR. GAUNT: You were writing it in '06 3 probably. 4 THE WITNESS: No. I wrote it when we 5 were in December so... 6 MR. GAUNT: Okay. 7 Q. (By Mr. Harris) And that's a fair question. 8 I guess I probably ought to ask you with 9 regard to the document that's marked 10 Exhibit 37, was this just kind of a 11 progression thing? 12 A. Yes. And this isn't in our standard format 13 for investigative reports, either. 14 Q. All right. So part of it would be prepared 15 on a given date and then part of it was 16 prepared later? Is that how I understood 17 it? 18 A. Yes. I actually started this on the 23rd. 19 Q. Okay. And when you went to 20 Judge Ellsworth's office on the 22nd, was 21 anybody else present other than you, 22 Judge Ellsworth and Mr. Anderson? 23 A. No, that's all. 24 Q. And you narrate what Mr. Anderson reported 25 at that time; correct?</p>	<p style="text-align: right;">15</p> <p>1 jurisdiction. If they ask for assistance, 2 we'll be glad to help them. 3 Q. All right. And then at the bottom of that 4 second page it talks about you make a note 5 that you were at the prosecuting attorney's 6 office on the 20th to drop off some paper 7 work and you could overhear Mr. Anderson and 8 Monica Daniel having a conversation. Could 9 you actually hear what they were discussing? 10 A. Well, I could hear the conversation. I 11 don't know if I've got it word-for-word. I 12 could hear conversation. I would say not or 13 I would have put it in here. 14 Q. Okay. Then you state that later that 15 evening Monica came to your office? 16 A. Yes. 17 Q. Do you recall what time that was? 18 A. I'd say it'd be after five. 19 Q. All right. Are those normal work hours for 20 you to be there after five? 21 A. Yes. 22 Q. And she reports this incident with 23 Mr. Anderson coming to her house Saturday 24 night slash Sunday morning. And she 25 reported to you that she let her answering</p>

6 (Pages 12 to 15)

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